

MEMORANDUM THRU

PM *[Signature]* 12/13
ED *[Signature]* 12/14

DDT/RS 19 DEC 02

FOR DE

SUBJECT: Oquawka Reach: Lock 18 Upper, Furnal Island, and Oquawka Dredge Cuts, Environmental Assessment (EA), Upper Mississippi River Miles 411.0-415.2

1. The subject report, with an unsigned Finding of No Significant Impact (FONSI) and Findings of Compliance with the Restrictions on Discharge, has been distributed for a 30-day public review and comment period ending 3 October 2002. A Section 404 (b)(1) Evaluation was required due to the nature and extent of this project.
2. The enclosed 20-day Joint Public Notice was issued by the Rock Island District of the U.S. Army Corps of Engineers, the Iowa Department of Natural Resources, the Illinois Environmental Protection Agency, and the Illinois Department of Natural Resources/Office of Water Resources on 3 October 2002. Section 401 Water Quality Certification from the Iowa Department of Natural Resources and the Illinois Environmental Protection Agency, as well as the floodplain permit from the Illinois Department of Natural Resources/Office of Water Resources, would be secured prior to the start of construction.
3. Comments resulting from public review of the EA and the Joint Public Notice are enclosed. Responses to these comments are as follows:
 - a. Conversation with Larry Cox from the City of Galesburg, 10 September 2002. He asked if Site 7 were going to be considered as a part of this plan.

CORPS RESPONSE: Site 7 has been eliminated from consideration for this plan, although it may be considered as part of a future plan.

- b. Letter from Rhonda Fair, Director, Delaware Nation Native American Graves Protection and Repatriation Act (NAGPRA) Office, dated 11 September 2002, stating that the Delaware Nation concurs with the FONSI, but if any human remains are uncovered, they ask that all ground-disturbing activities be halted and the Delaware Nation be contacted. The State Archaeologist and the State Historic Preservation Officer (SHPO) should also be alerted to the discovery of human remains. In addition, the Delaware Nation would like copies of all cultural resources and archaeological survey reports for this project.

CEMVR-PM-A

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CORPS RESPONSE: Page EA-11 of the EA states that “if any undocumented historic properties are identified or encountered during the undertaking, the District would discontinue all dredging and/or dredged material placement in the affected area and resume coordination...” The Delaware Nation, the State Archaeologist, and the SHPO would be contacted if human remains were uncovered. The SHPO has copies of all cultural resources and archaeological survey reports, and the Delaware Nation is encouraged to contact them to obtain copies of these reports under rules established for their release by the SHPO.

c. Conversation with Dr. Bob Henry, retired professor of aquatic ecology at Western Illinois University, 16 September 2002. He had three main comments:

1. The amount of compensatory mitigation is inadequate to replace wetland functions and values lost as a result of the project, particularly since the mitigation is proposed to be off-site and out-of-kind.

CORPS RESPONSE: Of the 1.1-acre wetland impact area, 1 acre of the wetland impact is a linear wetland located between a levee and a farm field, and has been disturbed through siltation from the levee, adjacent farming activities, and periodic mowing of the wetland. The 1.1-acre mitigation site is part of a larger wetland mitigation area that would be maintained in a natural state. In this case, the amount of mitigation has been determined to have potential to adequately replace the wetland functions and values lost at the project site.

2. Two years is not enough time for monitoring the mitigation site, particularly since the mitigation site is proposed to support a forested wetland over a much longer period of time. When the mitigation site is turned over to the Iowa Department of Natural Resources, they should be given standards for ongoing maintenance and monitoring to ensure that the mitigation site goals and objectives are maintained over time. It is especially important for the District to ensure long-term monitoring of compensatory mitigation sites since the District hasn't done many of them and needs to get long-term data to ensure success of future sites.

CORPS RESPONSE: The mitigation plan states that the Corps of Engineers would assess the mitigation site approximately 2 years after construction to measure the achievement of the project goals and objectives. If the goals and objectives have not been met, the Rock Island District would perform remedial actions as necessary to achieve those goals and objectives. Once they have been achieved, the area would be turned over to the Iowa Department of Natural Resources for ongoing maintenance and management. In order to ensure that the Department of Natural Resources maintains the site in such a way that the mitigation goals and objectives would be achieved over time, the Corps of Engineers would work with the Department of Natural Resources to develop a maintenance and management agreement in which either the Corps of Engineers or the Department of Natural Resources would continue to monitor the site and write annual reports with any recommended remedial measures until the site has been established for 5 years, which is a standard monitoring period utilized by the Regulatory Branch for Section 404 compensatory mitigation projects within the Rock Island District. After the 5-year active monitoring period, the site would be placed in a conservation easement so that the desired wetland functions and values are maintained in perpetuity.

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3. The mitigation site should be planted rather than be allowed to develop with species currently located in the seed bank, especially since the District will be removing the top foot of soil to reach the water table. The District may not achieve the desired vegetative community through natural succession, and plantings give the mitigation site a head start on success. Recruitment of tree species may take a long time, and the presence of Reed Canary Grass also necessitates the establishment of a vegetative community quickly so that the aggressive Reed Canary Grass does not spread through the site and prevent other species from becoming established, thus lowering the site diversity.

CORPS RESPONSE: Reed Canary Grass is present at the site, and this species does have the potential to spread rapidly through disturbed areas, such as the areas proposed to be excavated for mitigation. Seeding of all disturbed areas would be done in an attempt to allow a vegetative community to quickly become established after disturbance. Cottonwood seedlings are becoming established near the mitigation site, so that species can also be expected to grow within the mitigation site as an early successional floodplain forest species.

4. The mitigation plan does not meet minimum requirements that the District's Regulatory Branch requires of private permit applicants. The District should not provide lower quality wetland mitigation than the public for similar impacts.

CORPS RESPONSE: The Regulatory Branch has separate authorities and regulations for compensatory mitigation than does the Civil Works program for Corps of Engineers projects. The Rock Island District has determined, in accordance with Civil Works policies and procedures, that the wetland mitigation plan adequately compensates for the wetland impacts at the project site.

d. Letter from Iowa River – Flint Creek Levee District #16 Trustees, of the Two Rivers Levee & Drainage Association, dated 24 September 2002, stating that they support the placement of dredged material on the landside berms of mainstem levees along the Upper Mississippi to protect the taxpayers living in the communities behind the levees by controlling seepage and creating a better foundation for flood control. Placing dredged material behind levees will also create fewer environmental problems in the long run by removing the material from the river.

CORPS RESPONSE: Sites 3 and 5 are levee placement sites, which would be expected to provide the benefits described in the letter.

e. Letter from Harry Schrader, adjacent landowner, dated 2 October 2002, stating that he is the landowner of Site 2 and has serious concerns with the District utilizing his agricultural field for a disposal site when the levee berm is available and easily accessible.

CORPS RESPONSE: Site 2 was considered as part of this plan, but was dropped from the final recommended base plan alternative due to unacceptable wetland impacts. Therefore, Site 2 is no longer proposed to be utilized as a dredged material placement site.

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f. Letter from Robert Schanzle, Permit Program Manager, Office of Realty and Environmental Planning, Illinois Department of Natural Resources, dated 4 October 2002, stating that they do not anticipate any notable impacts to fish or wildlife resources from the recommended base plan and therefore support the FONSI.

g. Letter from Bernard Killian, Deputy Director, Illinois Environmental Protection Agency, dated 7 October 2002, stating that they have no objections to the project, although a 401 Water Quality Certificate will be required from the Bureau of Water.

CORPS RESPONSE: The Rock Island District has applied for a 401 Water Quality Certificate and would not utilize the site until this Certificate has been obtained.

h. Letter from John Froman, Chief, Peoria Tribe of Indians of Oklahoma, dated 8 October 2002, stating that the Tribe has no objections to the project, but if any human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, the construction should stop immediately and appropriate persons, including state and tribal NAGPRA representatives, should be contacted.

CORPS RESPONSE: Page EA-11 of the EA states that “if any undocumented historic properties are identified or encountered during the undertaking, the District would discontinue all dredging and/or dredged material placement in the affected area and resume coordination...” The Peoria Tribe of Indians of Oklahoma as well as all other appropriate agencies would be contacted if skeletal remains and/or any objects falling under NAGPRA are uncovered during construction.

i. Letter from George Hennenfent, Attorney with Hattery Simpson West, dated 22 October 2002, stating that Mr. Pruett is not interested in allowing the Corps to place dredged material on his property and asking if the Corps intends to condemn his land or purchase the land from him.

CORPS RESPONSE: After receipt of this letter, Mr. Pruett was contacted by the Rock Island District's Operations Division (OD-T), who explained that this EA is proposing a least-cost plan for disposal of dredged material for the Oquawka Reach Dredge Cuts. This plan would be used as the base plan for a potential Section 204 ecosystem restoration project at the Henderson #3 Levee and Drainage District. The FONSI would need to be signed by the District Engineer; the Preliminary Restoration Plan for the potential Section 204 project would need to be approved by the Corps of Engineers' Division office; and, funds would need to be made available before the Corps of Engineers could start to work on the plans for the potential Section 204 project. The State of Illinois may consider purchasing the Henderson #3 Levee and Drainage District in anticipation of the Corps of Engineers' potential Section 204 project, but the Corps of Engineers does not have any control over State acquisition plans. If dredging is required at the Oquawka Reach in larger quantities than expected in 2003, the other approved placement sites may fill and Site 5 may need to be utilized as described in the EA for the Oquawka Reach Dredge Cuts. Mr. Pruett will be kept advised as any future plans are developed.

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j. Letter from Robert Schanzle, Permit Program Manager, Office of Realty and Environmental Planning, Illinois Department of Natural Resources, dated 23 October 2002, stating that his office has no objections to Section 404 permit issuance for the project.

k. Letter from Deanne Bahr, Sac and Fox Nation of Missouri, NAGPRA Contact Representative, dated 31 October 2002, stating that Johnathan Buffalo is the main contact for the Sac and Fox in issues that result in inadvertent finds of human remains or funerary objects.

l. Letter from Richard Nelson, Supervisor, U.S. Fish and Wildlife Service, dated 19 November 2002, stating that they support implementation of the preferred alternative, agree with the mitigation approach, and concur with the FONSI. The letter also states that it was written in accordance with provisions of the Fish and Wildlife Coordination Act and the Endangered Species Act.

4. Recommend the DE sign the enclosed FONSI and Findings of Compliance with the Restrictions on Discharge. Signature locations are flagged.

5. Please return the signed documents to CEMVR-PM-A for inclusion in the final report. Questions can be addressed to Ms. Gail Clingerman, CEMVR-PM-A, extension 5791.



DORENE A. BOLLMAN
Acting Chief, Economic and
Environmental Analysis Branch

15 Encls

CF (all wo/encls):
Dist File (PM-M)
PM-A (Clingerman)
PM-A (Pulcher)
PM-A (Cornish)
OD-T (Cox)
ED-DM (Anderson)



PUBLIC NOTICE

US Army Corps
of Engineers
Rock Island District

Applicant: U.S. Army Corps of Engineers

Date: October 3, 2002

Expires: October 23, 2002

CEMVR-OD-P-433430 & 433440

Section: 404

Joint Public Notice
U.S. Army Corps of Engineers
Iowa Department of Natural Resources
Illinois Environmental Protection Agency
Illinois Department of Natural Resources/Office of Water Resources

1. **Applicant.** U.S. Army Corps of Engineers, Clock Tower Building, Rock Island, Illinois 61204-2004.

2. **Project Location.** The project area lies in the lower portion of Pool 18 of the Mississippi River, upstream of Burlington, Iowa, in Des Moines County and downstream of Oquawka, Illinois, in Henderson County. The project area consists of three non-historic dredged material placement sites (Sites 3, 5, and 8) located between river miles 412.1 and RM 414.4. The main channel areas associated with these placement sites are known as the Oquawka Reach: Lock 18 Upper, Furnal Island, and Oquawka dredge cuts.

a. CEMVR-OD-P-433430.

- Site 3. Sections 29 and 30, Township 71 North, Range 1 West; upstream of Burlington, Iowa, in Des Moines County, Iowa; approximate Mississippi River miles 412.1-413.6 (right descending bank). The approximate center of the site is UTM, Zone 15, 4,530,620 meters N; 667,670 meters E.
- Mitigation Site. Section 21, Township 72 North, Range 1 West; behind the Iowa River-Flint Creek Levee in Des Moines County, Iowa, approximate river mile 422 and just north of the Hawkeye Dolbee Diversion Ditch.

b. CEMVR-OD-P-433440.

- Site 5. Section 28, Township 11 North, Range 5 West; downstream of Oquawka, Illinois, in Henderson County, Illinois; approximate Mississippi River miles 414.3-414.4 (left descending bank). The approximate center of the site is UTM, Zone 15, 4,531,250 meters N; 671,000 meters E.
- Site 8. Section 28, Township 11 North, Range 5 West; downstream of Oquawka, Illinois, in Henderson County, Illinois; approximate Mississippi River mile 414.0 (left descending bank). The approximate center of the site is UTM, Zone 15, 4,531,100 N; 671,290 E.

3. **Project Description.**

a. **Purpose.** The purpose of this project is to maintain appropriate project width and depth of the commercial navigation nine-foot channel to allow continued passage of commercial navigation in the Upper Mississippi River.

b. **Background.** Rock Island District is directed by Congress to maintain a 9-foot navigation channel on the UMR (Upper Mississippi River). The bottom sediments of the UMR are in a dynamic state, moving and rearranging as a result of natural fluvial processes. These sediments occasionally threaten navigation by causing the channel to become narrow and/or shallow at localized sites. Maintenance involves dredging of accumulated sediment to restore the channel to proper navigation dimensions. The District's dredging program involves the planning, design, construction, operation, and maintenance of waterway projects to meet navigation needs. Rock Island District's responsibility includes developing and maintaining the Nation's waterways and harbors to meet emergency, national defense, and national interest requirements. Channel maintenance dredging is prioritized and scheduled based on soundings and hydrographic surveys performed throughout the navigation season and in response to emergency channel

closures created by barge groundings. An OSIT (On-Site Inspection Team), which consists of personnel from both state and Federal agencies, performs a natural resource assessment of each dredging/placement operation. The OSIT reviews proposed sites on location and recommends areas that will minimize impacts to backwaters, wetlands, prime farmland, and other sensitive habitats. The OSIT also holds a post-placement inspection of each year's dredged material placement sites. The OSIT serves in an advisory capacity and has no regulatory authority. However, OSIT concerns and opinions are integral to the District's decision-making process. Rock Island District must notify the OSIT of any departures that it makes from the OSIT recommendations. Final authority on dredging projects rests with the District Engineer.

c. Proposed Project. The total amount of material dredged at the three dredge cuts (Lock 18 Upper, Furnal Island, and Oquawka dredge cuts) since 1941 is approximately 489,925 cubic yards.

- The Lock and Dam 18 dredge cut, approximate river miles 411.0–412.4, has been dredged 5 times since 1941. These dredging events averaged approximately 72,119 cubic yards, and totaled 360,593 cubic yards.
- The Furnal Island dredge cut, approximate river miles 413.0–414.4, yielded 17,862 cubic yards the only time it was dredged in 2001.
- The Oquawka dredge cut, approximate river miles 414.5–415.2, has been dredged twice since 1961. These dredging events averaged approximately 55,735 cubic yards and totaled 111,470 cubic yards.

(1) A total capacity of 510,000 cubic yards is needed to meet the proposed volume of dredged material over the next 40 years. The projections for the Oquawka dredge cut are 1 event every 8 years with a quantity of 40,000 cubic yards per event, the projections for the Lock and Dam 18 dredge cut are 1 event every 6 years with a quantity of 30,000 cubic yards per event, and the projections for the Furnal Island dredge cut are 1 event every 10 years with a quantity of 25,000 cubic yards per event. These are projections only and are subject to change due to the dynamic nature of sediment transport in the UMR. The District will perform dredging as necessary to maintain the 9-foot channel in the UMRs; actual quantities may therefore be greater or lesser. Previous placement of dredged materials has occurred at numerous locations near the dredge cuts, and the use of many of these historic placement areas in the present manner is no longer environmentally practicable. Dredged material would be placed at Site 3 and Site 8 by both hydraulic and mechanical means and at Site 5 by mechanical means only.

(2) Three new non-historic dredged material placement sites (Sites 3, 5, and 8) are proposed. Site details are summarized below.

Physical characteristics of proposed dredged material placement sites

	Site 3	Site 5	Site 8
Length ¹	5,500 feet	755 feet	2,450 feet
Width ¹	90 feet	190 feet	Varies between 200-1,200 feet
Depth of material	12 feet	10 feet	10 feet
Terrestrial Encroachment	9.5 acres	1.5 acres	37 acres
Aquatic Encroachment	1.0 ac. wetland impacts	None	0.1 ac. wetland impacts for site access
Agricultural Encroachment	None	None	37 acres
Substrate Composition	Levee	Levee	Ag Field
Erodibility of Dredged Material	Minimal	Minimal	Minimal
Reason for New Placement	Accessible, cost effective, environmentally acceptable	Accessible, cost effective, environmentally acceptable	DMMP and potential beneficial use
Capacity	150,000 cubic yards	20,800 cubic yards	437,000 cubic yards

¹ All sites are non-rectangular in shape.

a. CEMVR-OD-P-433430. Site 3 is protected by a 100-year levee and is an upland placement site. The area is on the back side of a levee and measures approximately 90 feet wide by 5500 feet long. Dredged material will be placed at Site 3 by both hydraulic and mechanical means. Approximately 1.0 acre of wetland area will be impacted by the project. Return water from hydraulic dredging at Site 3 will flow through existing levee district drainage ditches to the pump station and will be pumped out into the river. River access to Site 3 is potentially along the site's entire length. To minimize riparian zone impacts, paths will be selected and reused that avoid large trees and utilize existing canopy breaks where feasible.

b. CEMVR-OD-P-433440.

- Site 5. Site 5 is on the back side of a levee and measures approximately 190 feet wide by 755 feet long. Site 5 is protected by a 50-year levee and is in the floodplain. Site 5 is not farmed. Dredged material will be placed at Site 5 by mechanical means. There will be no return water from dredged material placement at this site.
- Site 8. Site 8 is seasonally small-grain row cropped, typically with soybeans or corn. Site 8 is protected by a 50-year levee and is in the floodplain. Dredged material will be placed at Site 8 by both hydraulic and mechanical means. The placement site measures approximately 2450 feet long and varies in width from 20 feet to 1200 feet. Return water from hydraulic dredging at Site 8 will flow through existing levee district drainage ditches to the pump station and will be pumped out into the river.

Site 5 would be used as river access to Site 8. Approximately 0.1 acre of forested wetlands would be filled along a small channel between Sites 5 and 8 for equipment access from the river to Site 8. A culvert would be installed underneath the fill material to allow for maintenance of water flow through the channel.

Portions of the riparian zone adjacent to Sites 3, 5, and 8 would require woody and herbaceous understory vegetation clearing for dredged material access paths. Hydraulic dredging would require the creation of approximately 20-foot-wide paths for shore pipe access, and mechanical dredging would require clearing of an approximately 100-foot-wide path for offloading and movement of dredged material from barges to the site.

(4) Mitigation. As mitigation for the approximately 1.1 acres of wetland area impacted by the project, approximately 1.1 acres of wetland mitigation will be created in a 36-acre agricultural field in Des Moines County, Iowa, approximate river mile 422, within the Iowa River-Flint Creek Levee District No. 7. This mitigation would be accomplished through cessation of agricultural activity and plugging of existing drainage tiles. The Natural Resources Conservation Service made a preliminary determination that the mitigation site is a prior converted non-wetland area. The 1.1-acre area is surrounded by wetter areas of the field dominated by hydrophytic species and hydric soils. The 1.1-acre area is dominated by upland plant species and has a 6- to 12-inch sandy loam layer over the silty clay loam soils found to the surface in the wetter portions of the field. This sandy loam layer will be excavated to replicate the wetter conditions located adjacent to the site. The mitigation area is adjacent to another wetland mitigation area (Keithsburg DMMP). The excavated material will be placed in upland area along the western edge of the adjacent agricultural field. The area will be monitored for the first 2 or more years after cessation of farming. If necessary, remedial actions may include chemical and/or mechanical control of invasive species, planting and/or seeding of wetland trees, shrubs, or herbaceous vegetation, and excavation to reach the water table at the site. Once the goals and objectives are achieved, the area would be turned over to the Iowa Department of Natural Resources for ongoing maintenance and management.

(5) Coordination. Coordination was initiated early and continued throughout the planning process with the following agencies and individuals: 61 landowners; Two Rivers Levee & Drainage Association; Henderson County Drainage District 3; Illinois Department of Natural Resources; Illinois Environmental Protection Agency; Illinois Department of Agriculture; Illinois Corn Growers Association; Illinois State Historic Preservation Officer (Illinois Historic Preservation Agency); Iowa Corn Growers Association; Iowa Department of Natural Resources; U.S. Fish and Wildlife Service; U.S. Environmental Protection Agency, Regions V & VII; U.S. Coast Guard; U.S. Department of Agriculture, Natural Resources Conservation Service.

4. Agency Review and Where to Reply.

a. Department of the Army, Corps of Engineers. The project plans are being processed under the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344).

b. State of Iowa. The project plans have been submitted to the Iowa Department of Natural Resources for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification, if issued, will express the Department's opinion that the proposed activity will comply with Iowa's water quality standards (Chapter 61 IAC). The applicant has also applied for authorization of work in the floodplain pursuant to Chapter 455B of the Iowa Code and other applicable state permits. Written comments concerning possible impacts to waters of Iowa should be addressed to: Iowa Department of Natural Resources, 900 East Grand Avenue, Des Moines, Iowa 50319. A copy of the comments should be provided to the Corps of Engineers office (see paragraph 4.a. of this public notice for address).

c. State of Illinois.

(1) The applicant has applied to the Illinois Environmental Protection Agency (IEPA) for water quality certification, or waiver thereof, for the proposed activity in accordance with Section 401 of the Clean Water Act. Certification or waiver indicates that IEPA believes the activity will not violate applicable water quality standards. The review by the IEPA is conducted in accordance with the Illinois water quality standards under 35 Illinois Administrative Code Subtitle C. The water quality standards provide for the IEPA to review individual projects by providing an antidegradation assessment, which includes an evaluation of alternatives to any proposed increase in pollutant loading that may result from this activity. The "Fact Sheet" containing the antidegradation assessment for this proposed project may be found on the IEPA's web site, at www.epa.state.il.us/public-notice/. In the event that the IEPA is unable to publish the "Fact Sheet" corresponding to the timeframe of this Joint Public Notice, a separate public notice and "Fact Sheet" will be published by the IEPA at the web site identified above. You may also obtain a copy of the "Fact Sheet" by contacting the IEPA at the address or telephone number shown below. Written comments specifically concerning possible impacts to water quality should be addressed to: Illinois Environmental Protection Agency, Bureau of Water, Watershed Management Section, 1021 N. Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. A copy of the written comments should be provided to the Corps of Engineers. If you have any questions, please contact IEPA at (217) 782-3362.

(2) The Illinois Department of Natural Resources, Office of Water Resources (IDNR/OWR), application is being processed pursuant to an Act in Relation to the Regulation of the Rivers, Lakes and Streams of the State of Illinois, Chapter 615, ILCS 5 (Illinois Compiled Statutes (1994)). Comments concerning the IDNR/OWR permit should be addressed to the Illinois Department of Natural Resources, Office of Water Resources, One Natural Resources Way, Springfield, Illinois 62702-1271, with a copy provided to the Corps of Engineers (see paragraph 4.a. of this public notice for address). Mr. Mike Diedrichsen, IDNR/OWR (217/782-4426), may be contacted for additional information.

5. **Historical/Archaeological.** A January 2002 final report entitled, *Phase I Geoarchaeological Investigation of 108.2 Acres Near Oquawka, Henderson County, Illinois*, covered Sites 5 and 8 and found three historic properties (11HE433, 434, & 435), all located in Site 8. Only one of these historic properties (11HE435) was found to be potentially eligible for inclusion in the National Register of Historic Places.

a. The Corps of Engineers has agreed to avoid Site 11HE435 by developing DMMP Site 8 in such a way that a 50-foot buffer zone would be established around 11HE435 in order to avoid any activity within the area of 11HE435 or its buffer zone.

b. Site 3 is located within the existing disturbed zone of levee construction, and dredged material placement here is a type of activity that does not have the potential to affect historic properties, assuming such properties were present prior to the disturbance associated with levee construction. No further consideration of historic properties at Site 3 would be made under Section 106 of the National Historic Preservation Act.

c. If any undocumented historic properties are identified or encountered during the undertaking, the District would discontinue all dredging and/or dredged material placement in the affected area and resume coordination with either the Iowa or Illinois State Historic Preservation Offices to identify the significance of the historic property and determine potential effects under Section 106 of the National Historic Preservation Act of 1966 and 36 CFR Part 800.

6. **Endangered Species.** Early coordination with State and Federal resource agencies revealed no objections or concerns over potential impacts to any State or Federal threatened or endangered species. Three federally listed endangered or threatened species are known from the Pool 18 area:

a. Indiana Bat (*Myotis sodalis*) - Federally Endangered. The Indiana bat is listed to be present in Des Moines County in Iowa and Henderson County in Illinois. Indiana bats are not believed to occur in the project area.

b. Higgins' Eye Pearly Mussel (*Lampsilis higginsii*) - Federally Endangered. The Higgins' Eye Pearly Mussel is listed to be present in Des Moines County, Iowa, and Henderson County, Illinois. This species prefers sand/gravel substrates with swift currents and is most often in the main channel border or in open, side channel habitat. Site 5 borders the main channel, though staff from the Rock Island District and Illinois Department of Natural Resources conducted a mussel survey at the main channel border of Site 5 on September 24, 2001, and did not locate any Higgins' Eye Pearly Mussels or suitable habitat for the species.

c. Bald Eagle (*Haliaeetus leucocephalus*) - Federally Threatened. The bald eagle is listed as wintering and breeding in Des Moines County, Iowa, and wintering in Henderson County, Illinois. It normally migrates south to overwinter along the UMR. Bald eagles begin to arrive in late November or early December after dredging activity has ceased for the year. They forage for fish where they can find open water, such as the tailwaters below the lock and dam complexes, and rest in the larger trees along the shoreline. These trees also provide excellent vantage points for fishing. Bald eagles seek roost trees for shelter from winter weather in the evening. This project does not involve significant clearing of mature trees and would not affect this species.

7. **Dredge/Fill Material Guidelines.** The evaluation of the impact of the proposed activity on the public interest will also include application of the guidelines promulgated by the Administrator of the United States Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

8. **Environmental Documentation.** The District staff has prepared a document entitled "Environmental Assessment, The Oquawka Reach: Lock 18 Upper, Furnal Island, and Oquawka Dredge Cuts, Upper Mississippi River Miles 411.0 – 415.2, U.S. Army Corps of Engineers, Rock Island District" for the project. This documentation is available for review at the Clock Tower Building (see address in paragraph 1.) during working hours (7:30 am to 4:00 pm).

9. **Public Interest Review.** The decision whether to proceed with the project will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

10. **Who Should Reply.** The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to proceed with the project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. These statements should be submitted on or before the expiration date specified at the top of page 1. These statements should bear upon the adequacy of plans and suitability of locations and should, if appropriate, suggest any changes considered desirable.

11. **Public Hearing Requests.** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided.

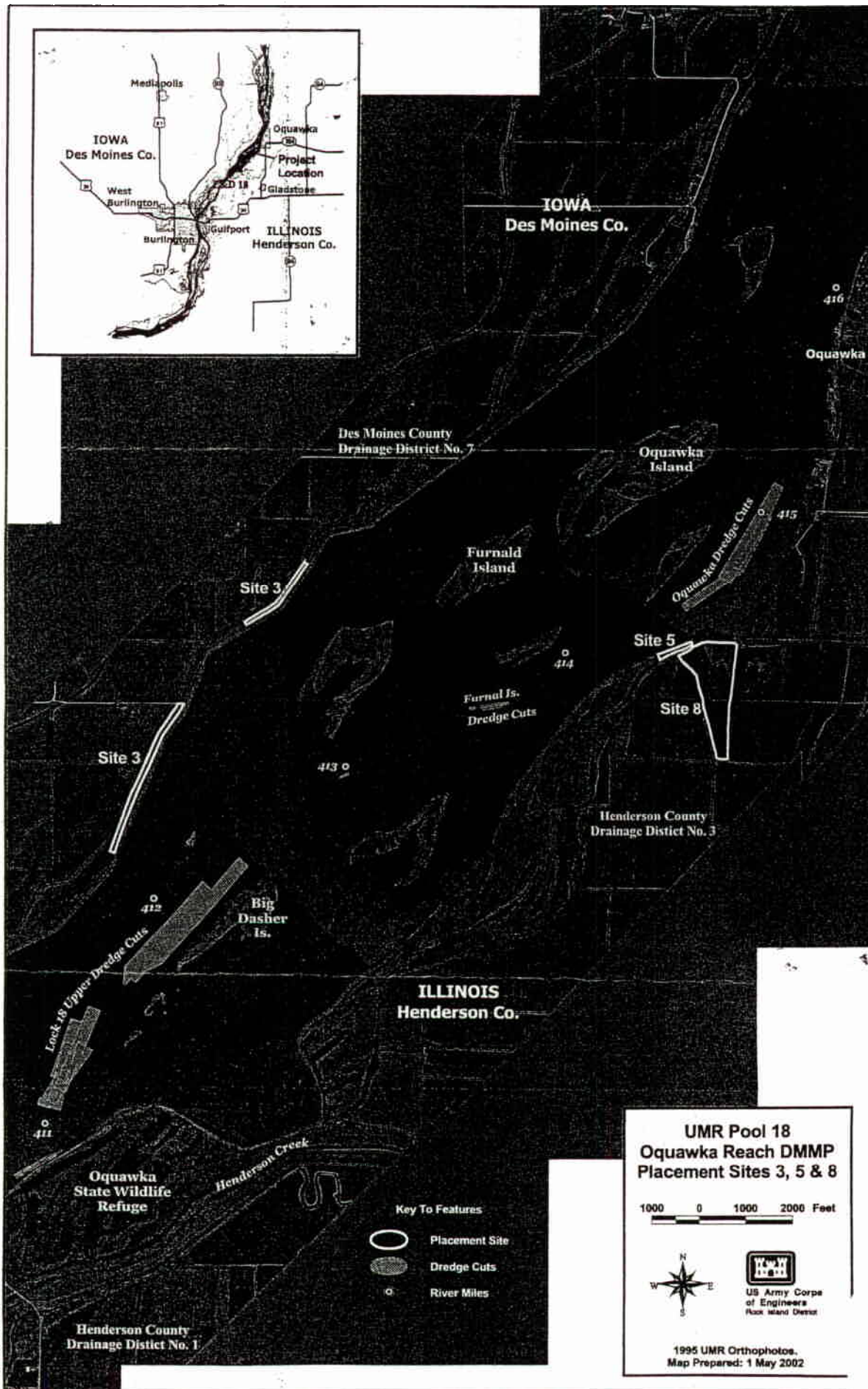
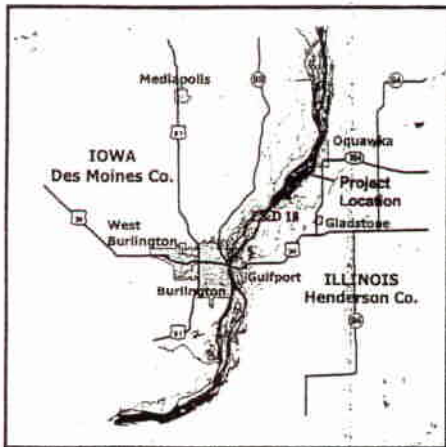
12. **Reply to the Corps of Engineers.** Comments concerning the project should be addressed to the District Engineer, U. S. Army Corps of Engineers, Rock Island District, ATTN: OD-P (Wayne Hannel), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. **Mr. Wayne Hannel (309/794-5378)** may be contacted for additional information concerning regulatory issues. **Ms. Gail Clingerman (309/794-5791)** may be contacted for additional information concerning environmental issues.

Attach
Plan


William J. Bayles
Colonel, U.S. Army
District Engineer

REQUEST TO POSTMASTERS: Please post this notice conspicuously and continuously until the expiration date specified at the top of page 1.

NOTICE TO EDITORS: This notice is provided as background information for your use in formatting news stories. This notice is not a contract for classified display advertising.



Key To Features

- Placement Site
- Dredge Cuts
- River Miles

UMR Pool 18
Oquawka Reach DMMP
Placement Sites 3, 5 & 8

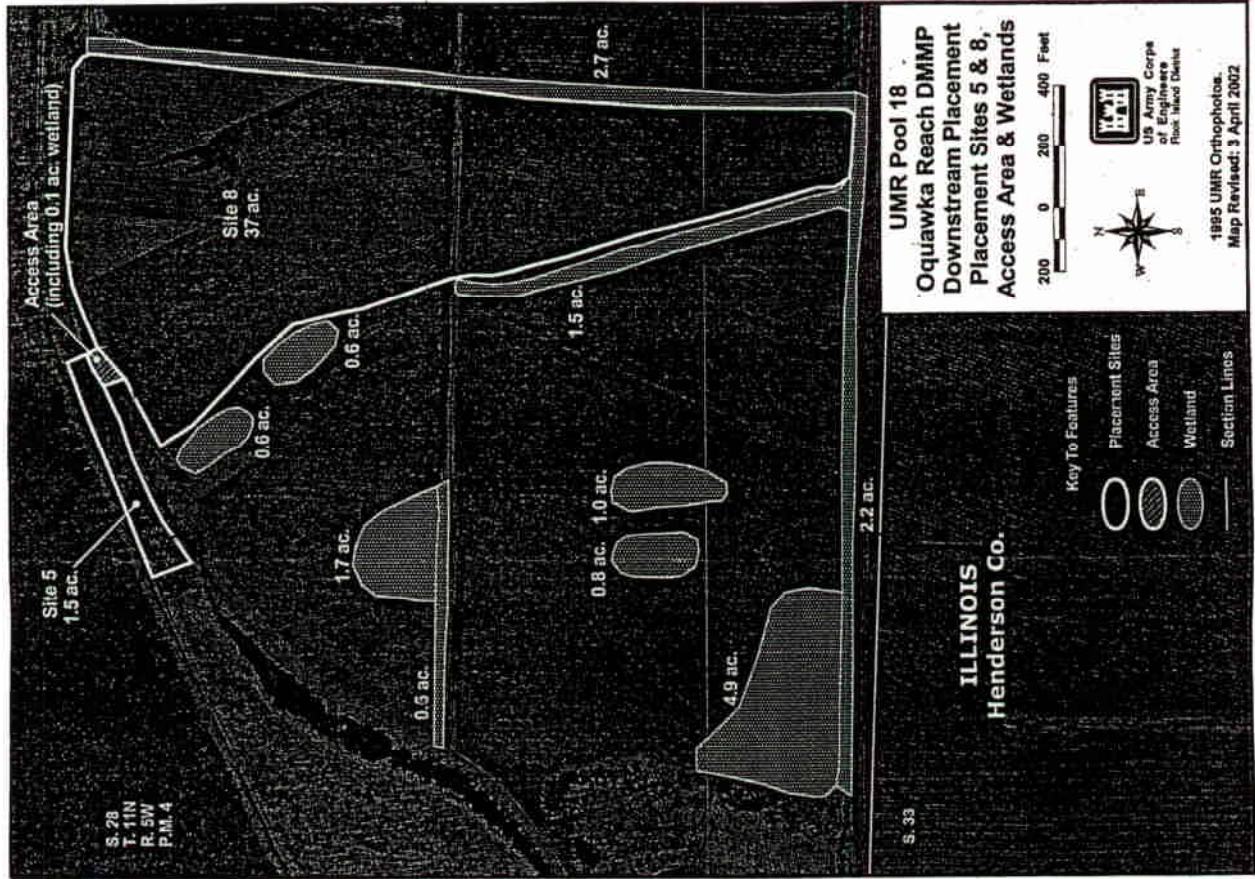
1000 0 1000 2000 Feet



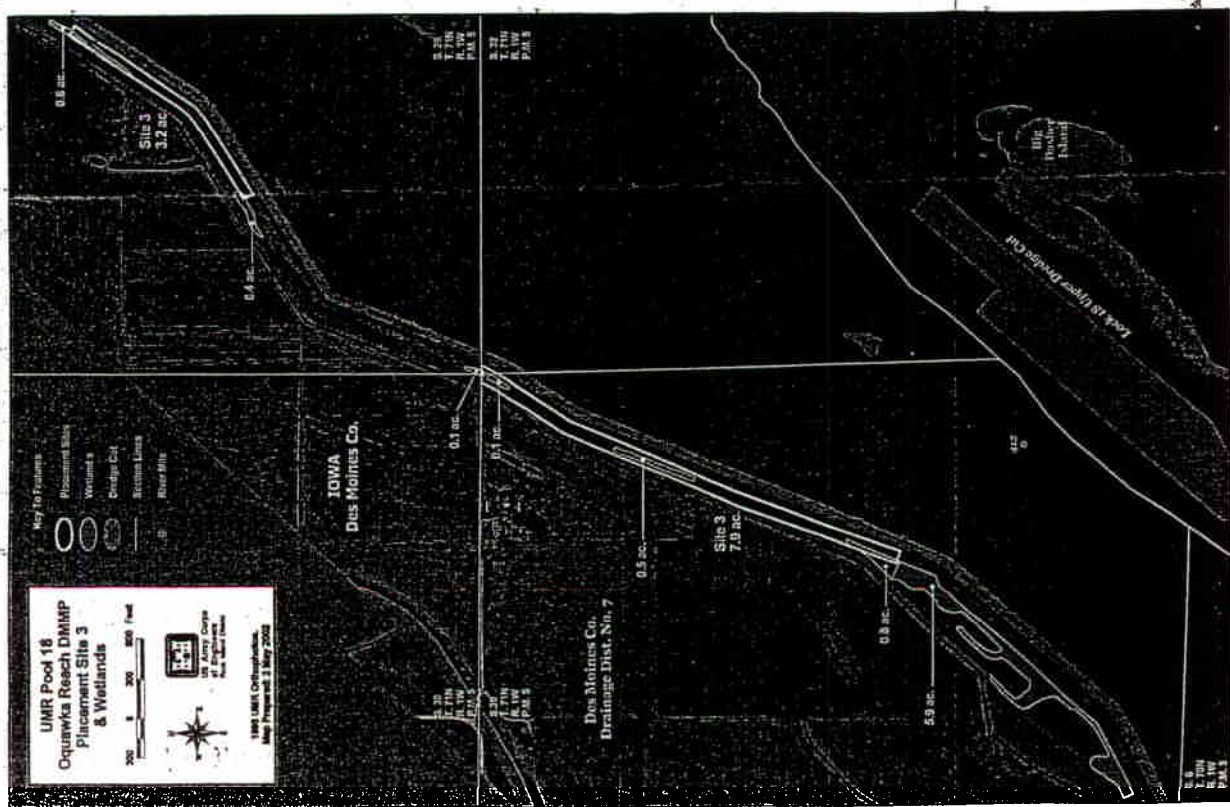
US Army Corps
of Engineers
Rock Island District

1995 UMR Orthophotos.
Map Prepared: 1 May 2002

CEMVR-OD-P-433430
CEMVR-OD-P-433440
Vicinity Map
Sheet 1 of 3



CEMVR-OD-P-433430
 CEMVR-OD-P-433440
 Plan - Sites 3, 5, and 8
 Sheet 2 of 3



**UMR Pool 18 - River Mile 422
Oquawka Reach DMMP
Proposed Mitigation Site**

200 0 200 400 Feet



US Army Corps
of Engineers
Rock Island District

1995 UMR Digital Orthophotos.
Map Revised: 18 September 2002

Key To Features



Keithsburg Reach DMMP
Mitigation Site Approx. 15 ac.



Oquawka Proposed
Mitigation Site Approx. 1.1 ac.



Oquawka Proposed Excavated
Material Placement Area
Approx. 0.8 ac.



Section Lines

Sec. 16
T. 72N
R. 1W

Sec. 15

Sec. 21

Sec. 22

IOWA
Des Moines Co.

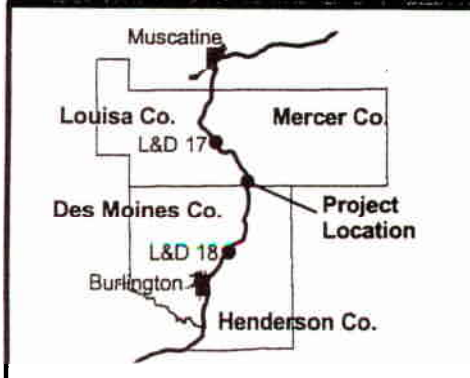
**Iowa River-Flint Creek
Levee District No.7**

Mississippi River
Flow

**Huron
Island**

Diversion Channel

**Des Moines Co.
Drainage District No. 7**



CEMVR-OD-P-433430
CEMVR-OD-P-433440
Mitigation Site
Sheet 3 of 3

CONVERSATION RECORD		TIME 1400	DATE 09/10/02	
TYPE <input type="checkbox"/> VISIT <input type="checkbox"/> CONFERENCE <input checked="" type="checkbox"/> TELEPHONE	<input checked="" type="checkbox"/> INCOMING <input type="checkbox"/> OUTGOING		ROUTINE	
			NAME/SVMRO	INI
Location of Visit/Conference:				
NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU Larry Cox		ORGANIZATION (Office, dept., bureau, etc.) City of Galesburg	TELEPHONE NO:	
SUBJECT Oquawka non-DMMP Draft EA comment				

SUMMARY

Mr. Cox asked if Site 7 is going to be considered as part of this plan, since it is still a draft. I said that no, Site 7 has been eliminated from consideration, so the Corps will not utilize that site in this plan, although it may be considered in the future. He said that answered his question and he did not need any more information.

ACTION REQUIRED

None

NAME OF PERSON DOCUMENTING CONVERSATION Gail Clingerman	SIGNATURE <i>Gail A. Clingerman</i>	DATE 9/19/02
--	--	-----------------

ACTION TAKEN

SIGNATURE	TITLE	DATE
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CONVERSATION RECORD

OPTIONAL FORM 271 (12-76)
DEPARTMENT OF DEFENSE

Delaware Nation NAGPRA Office

P.O. Box 825
Anadarko, OK 73005
405 / 247-2448
Fax: 405 / 247-9393



11 September 2002

Department of the Army
Rock Island District, Corps of Engineers
Clock Tower Building
P.O. Box 2004
Rock Island, IL 61204-2004

RE: Environmental Assessment and Finding of No Significant Impact for Oquawka Reach: Lock 18 Upper, Furnal Island, and Oquawka Dredge Cuts Upper Mississippi River Miles 411.0 – 415.

Dear Mr. Carr:

Thank you for contacting the Delaware Nation regarding the above referenced project. The Delaware Nation is committed to protecting archaeological sites that are important to tribal heritage, culture, and religion. Furthermore, the tribe is particularly concerned with archaeological sites that may contain human burial remains and associated funerary objects.

After reviewing the recently submitted Draft Environmental Assessment, we concur with the finding of no significant impact. However, during any of the archaeological testing or excavation or construction of this project, if human remains are uncovered, we ask that you halt all ground-disturbing activities and immediately contact the Delaware Nation. Also, the State Archaeologist and the State Historic Preservation Officer should be alerted to the discovery of human remains.

We ask that you continue to inform the Delaware Nation of the progress of this project. Specifically, we would like copies of all cultural resources and archaeological survey reports. We appreciate your cooperation in contacting the Delaware Nation. Should you have any questions, feel free to contact me.

Sincerely,

Rhonda S. Fair
NAGPRA Director

CF

PM DIST FILE

PM-A Clingerman

CONVERSATION RECORD			TIME 1300	DATE 09/16/02	
TYPE <input type="checkbox"/> VISIT <input type="checkbox"/> CONFERENCE <input checked="" type="checkbox"/> TELEPHONE	<input checked="" type="checkbox"/> INCOMING <input type="checkbox"/> OUTGOING			ROUTINE	
				NAME/SYMBO	INI
Location of Visit/Conference:					
NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU Dr. Bob Henry		ORGANIZATION (Office, dept., bureau, etc.) private citizen		TELEPHONE NO: 309-836-7231	
SUBJECT Oquawka non-DMMP Draft EA comment					

SUMMARY

Dr. Henry called to comment on the compensatory mitigation plan described in the Oquawka EA. He is a retired aquatic ecology professor at Western Illinois University who taught classes that discussed wetland ecology and mitigation. He had three comments.

1. Dr. Henry said that 1:1 mitigation, as proposed, is inadequate to replace lost wetland functions and values at the wetland impact site, particularly since the mitigation is proposed to be off-site and out-of-kind. In these cases, he said the mitigation should be at least 2:1 or 3:1 wetland creation/restoration to wetland impact. I said that the wetland to be impacted in this case is not high-quality, as it is a linear wetland located between a levee and a farm field, and that the wetland to be created in this case is part of a larger wetland mitigation area that may have higher wetland functioning once completed. I also explained that the Iowa DNR and the US Fish and Wildlife Service have reviewed and approved of the quantity of mitigation proposed.
2. Dr. Henry next stated that two years is not enough time for monitoring the mitigation site, and that particularly since the wetland is proposed to become forested over time, the site should be monitored for a much longer period of time to ensure that the succession is proceeding as expected. I said that we are only monitoring the mitigation site for two years because after those two years have passed with the site progressing as expected, the site will be turned over to the Iowa DNR for maintenance and management. Dr. Henry then asked what type of requirements they will have to maintain the site, and I said that we generally don't place requirements on them since they have a lot of experience in managing natural areas. He said that since it is a requirement for us to perform the wetland mitigation, we should ensure that the DNR maintain the site in accordance with some measurable standard. He also said that since the District hasn't done a lot of mitigation sites, we should put in a lot of effort to get long-term data to make future mitigation sites work better.
3. See Comment on next page.

NAME OF PERSON DOCUMENTING CONVERSATION Gail Clingerman	SIGNATURE <i>Gail A.P. Clingerman</i>	DATE 9/19/02
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ACTION TAKEN

SIGNATURE	TITLE	DATE
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CONVERSATION RECORD

OPTIONAL FORM 271 (12-76)
DEPARTMENT OF DEFENSE

CONVERSATION RECORD		TIME 1300	DATE 09/16/02	
TYPE	<input type="checkbox"/> VISIT <input type="checkbox"/> CONFERENCE <input checked="" type="checkbox"/> TELEPHONE	<input checked="" type="checkbox"/> INCOMING <input type="checkbox"/> OUTGOING		ROUTINE
		NAME/SYMBO	INI	
Location of Visit/Conference:				
NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU Dr. Bob Henry		ORGANIZATION (Office, dept., bureau, etc.) private citizen		TELEPHONE NO: 309-836-7231
SUBJECT Oquawka non-DMMP Draft EA comment				

SUMMARY

Comment 3 (comments continued from previous page): Dr. Henry said that the mitigation site should be planted rather than allowed to grow up with species currently in the seed bank. This is especially important since we are removing the top foot of soil in order to get down to the water table. He said that with natural succession, we may not achieve as high of a quality of vegetative community as we would if plantings were included. He said that the tree growth near the site is sparse, so the recruitment of new trees within the site may take a very long time to become established. We also discussed the possibility of invasion of the site by Reed Canary Grass, an aggressive species, and he said that plantings are especially important when Reed Canary Grass is in the area to keep it out. I said that there is currently a patch of Reed Canary Grass in the area that could become a problem.

Dr. Henry said that this mitigation and monitoring plan hit him hard in not being adequate to replace the wetlands to be lost, and that we should at least meet the requirements that our Regulatory Branch passes on to its permit applicants. We should not be able to get by with doing less than the public has to do to mitigate for similar wetland impacts. I told him that I agreed with that, and that we do coordinate our mitigation plans with Regulatory to ensure that they are consistent, but that Regulatory has separate authorities and regulations for much of its work than the Civil Works program has. He said he still thinks we should have minimum mitigation requirements, and that this plan does not appear to meet those.

NAME OF PERSON DOCUMENTING CONVERSATION Gail Clingerman	SIGNATURE <i>Gail A.P. Clingerman</i>	DATE 9/19/02
--	--	-----------------

ACTION TAKEN

SIGNATURE	TITLE	DATE
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*Affiliated Districts:
Levee District 16
Drainage Districts 4, 7, & 8*

September 24, 2002

ATTN: Planning, Programs and Project Management Division
Ms. Gail Clingerman
Rock Island District
U.S. Army Corps of Engineers
Box 2004
Rock Island, Illinois 61204-2004

Dear Ms. Clingerman:

We have recently reviewed the Environmental Assessment for the Oquawka Reach: Lock 18 Upper, Furnal Island and Oquawka Dredge Cuts Upper Mississippi River Miles 411.0-415.2.

We as a levee district would like to go on record as continuing to support the concept of placing dredge material on the landside berms of mainstem levees along the Upper Mississippi. We have stated many times we welcome the opportunity and have worked diligently to support these events in any way feasible for the protection of the taxpayers living in the communities behind these levees. We believe placing sand behind the levee on berms controls seepage and creates a better foundation for flood control without creating any further adverse effects downstream.

We also believe placing dredge material behind levees and out of the river will create fewer environmental problems in the long run rather than placement in thalwegs or on islands to be eventually washed downstream and increasing the possibilities of continued dredging in another area.

Last, we thank you for requesting our comments in these endeavors. We look forward to creatively working with you in future dredge events (hydraulic or mechanical) in any way we can.

Sincerely,

Iowa River-Flint Creek Levee District #16 Trustees

October 2, 2002

Ms. Gail Clingerman
Rock Island District
U.S. Army Corps of Engineers
Box 2004
Rock Island, Illinois 61204-2004

Dear Ms. Clingerman:

I have reviewed the Environmental Assessment for the Oquawka Reach: Lock 18 Upper, Furnal Island and Oquawka Dredge Cuts Upper Mississippi River Miles 411.0-415.2.

I am the landowner for site 2 as noted in this assessment. I have some serious concerns in regards to the Corps using this agricultural field of mine for a disposal site when the levee berm is available and easily accessible.

I thank you for being able to provide comments in these projects. I am available for questions at 319-752-1077 if needed.

Sincerely,
Harry Schrader



Illinois

Department of Natural Resources

<http://dnr.state.il.us>

One Natural Resources Way • Springfield, Illinois 62702-1271

George H. Ryan, Governor • Brent Manning, Director

October 4, 2002

Mr. John P. Carr, Acting Chief
Economic and Environmental Analysis Branch
Department of the Army
Rock Island District, Corps of Engineers
Clock Tower Building, P.O. Box 2004
Rock Island, Illinois 61204-2004

ATTN: Gail Clingerman

Dear Mr. Carr:

Reference is made to your letter of September 3, 2002 transmitting the Environmental Assessment and draft Finding of No Significant Impact entitled The Oquawka Reach: Lock 18 Upper, Furnal Island, and Oquawka Dredge Cuts, Upper Mississippi River Miles 411.0 - 415.2, addressing new dredged material placement sites in Des Moines County, Iowa, and Henderson County, Illinois.

Based on our review of the subject document and previous staff involvement with site selection and evaluation, the Department does not anticipate the dredge disposal plan will result in any notable impacts to fish or wildlife resources. Therefore, we support the Finding of No Significant Impact.

Thank you for the opportunity to comment. Please contact me at 217-785-4863 if we can be of further assistance.

Sincerely,

Robert W. Schanzle
Permit Program Manager
Office of Realty and Environmental Planning

RWS:rs

cc: IDNR/OWR (Kennedy), IEPA (Yurdin), IDOA (Savko), IADNR (Griffin),
USFWS (Clevenstine), USEPA (Pierard)



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

RENEE CIPRIANO, DIRECTOR

217/782-0547

October 7, 2002

Mr. John P. Carr
Acting Chief, Economic and
Environmental Analysis Branch
Attn: Planning, Programs & Project Management Div.
Rock Island District Corps of Engineers
Clock Tower Building – P.O. Box 2004
Rock Island, Illinois 61204-2004

Re: Oquawka Reach Dredge Cuts

Dear Mr. Carr:

Thank you for the opportunity to comment on the Environmental Assessment for the Oquawka Reach: Lock 18 Upper, Furnal Island, and Oquawka Dredge Cuts, Upper Mississippi River Miles 411.0-415.2.

The Agency has no objections to the project; however, a 401 water quality certification will be required from the Bureau of Water. Please contact Dan Heacock at 217-782-3362 regarding 401 water quality certification requirements.

Sincerely,

A handwritten signature in black ink, reading "Bernard P. Killian". The signature is written in a cursive style with a large, prominent "B".

Bernard P. Killian
Deputy Director

GEORGE H. RYAN, GOVERNOR



PEORIA TRIBE OF INDIANS OF OKLAHOMA

118 S. Eight Tribes Trail (918) 540-2535 FAX (918) 540-2538
P.O. Box 1527
MIAMI, OKLAHOMA 74355

CHIEF
John P. Froman
SECOND CHIEF
Joe Goforth

October 8, 2002

District Engineer
U.S. Army Corps of Engineers
Rock Island District
ATTN: OD-P (Wayne Hannel)
Clock Tower Building P.O. Box 2004
Rock Island, IL 61204-2004

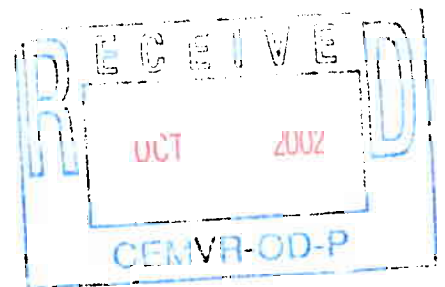
RE: Project Location: The project area lies in the lower portion of Pool 18 of the Mississippi River, Upstream of Burlington, Iowa, in Des Moines County and downstream of Oquawka, Illinois, in Henderson County. The project area consists of three non-historic dredged Material placement sites (Sites 3, 5, and 8) located between river miles 412.1 and RM 414.4. The main channel areas associated with these placement sites are known as the Oquawka Reach: Lock 18 Upper, Furnal Island, and Oquawka dredge cuts.

Thank you for notice of the referenced project. The Peoria Tribe of Indians of Oklahoma is currently unaware of any documentation directly linking Indian Religious Sites to the proposed construction. In the event any items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) are discovered during construction, the Peoria Tribe request notification and further consultation.

The Peoria Tribe has no objection to the proposed construction. However, if any human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, the construction should stop immediately, and the appropriate persons, including state and tribal NAGPRA representatives contacted.

John P. Froman
Chief

xc: Bud Ellis, Repatriation/NAGPRA Committee Chairman



TREASURER
LeAnne Reeves

SECRETARY
Hank Downum

FIRST COUNCILMAN
Claude Landers

SECOND COUNCILMAN
Jenny Rampey

THIRD COUNCILMAN
Jason Dollarhide

433430 / 433440



Attorneys

P.O. Box 260
130 North Main Street
Roseville, Illinois 61473-0260
Telephone: (309) 426-2176
Fax: (309) 426-2177

Roger L. Williamson
S. David Simpson
Thomas G. West
Ronald D. Stombaugh
Carol Masden Simpson
George Hennenfent
Karl A. Johnson

Of counsel:
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Max E. Mathers
Timothy E. Sullivan
Robert E. McLaughlin
(1915-1998)
Richard J. Neagle, Jr.
(1931-1991)
William K. Richardson
(1913-2001)

October 22, 2002

Department of the Army
Rock Island District, Corps of Engineers
Clock Tower Building
PO Box 2004
Rock Island IL 61204-2004

Dear Sir,

Howard Pruett has asked that I contact you concerning some recent notices you have sent indicating that you propose to put sand on his property in Henderson County, Illinois.

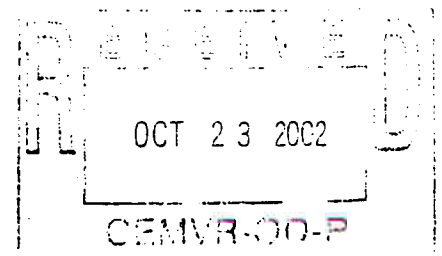
Mr. Pruett is not interested in allowing you to place sand on his property. Do you intend to condemn his land? Do you intend to purchase the land from him? Please advise.

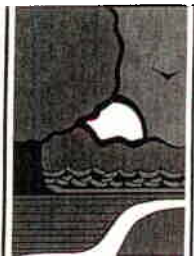
Thank you.

Sincerely,


George Hennenfent

GH/lg





Illinois

Department of Natural Resources

<http://dnr.state.il.us>

One Natural Resources Way • Springfield, Illinois 62702-1271

George H. Ryan, Governor • Brent Manning, Director

October 23, 2002

Mr. Richard Baugh, P.E.
Regulatory Branch
Department of the Army
Rock Island District, Corps of Engineers
Clock Tower Building, P.O. Box 2004
Rock Island, Illinois 61204-2004

Dear Mr. Baugh:

The Illinois Department of Natural Resources, Office of Realty and Environmental Planning, has reviewed the project(s) listed below and has no objections to permit issuance:

<u>Permit No.</u>	<u>Applicant</u>
404710-1	Peoria County Highway Department
420730-1	Lighthouse Homeowners Association
431910	Springfield Park District
432410	Apple Canyon Lake Property Owners Association
433430 & 433440	U.S. Army Corps of Engineers

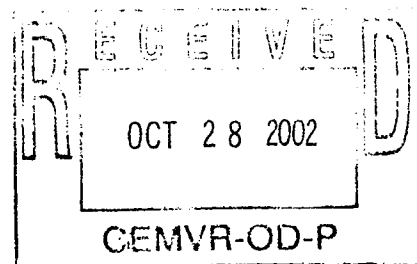
Please contact me at 217-785-4863 if I can be of further assistance.

Sincerely,

Robert W. Schanzle
Permit Program Manager
Office of Realty and Environmental Planning

RWS:rs 10-23(02), 10-06(02), 10-16(02), 10-11(02), 10-10(02)

cc: IDNR/OWR (Dalton), IEPA (Yurdin), USFWS (Fisher), USEPA (Pierard)



This recommendation regarding the issuance/denial of the U.S. Army Corps of Engineers permit by the IDNR, Office of Realty and Environmental Planning does not supersede permit decisions made by the IDNR, Office of Water Resources under the Illinois Rivers, Lakes and Streams Act.

SAC AND FOX NAGPRA CONFEDERACY



"MESKWAKI"

**Sac and Fox of the
Mississippi in Iowa**
349 Meskwaki Rd
Tama, IA 52339-9629
641-484-4678
Fax: 641-484-5424
Contact:
Johnathan L. Buffalo



**Sac and Fox Nation
of Missouri
in Kansas and Nebraska**
305 N Main
Reserve, KS 66434
785-742-7471
Fax: 785-742-2979
Contact: Deanne Bahr



**Sac and Fox Nation of
Oklahoma**
Rt. 2 Box 246
Stroud, OK 74079
918-968-2353
Fax: 918-968-2353
Contact: Sandra Massey

October 31, 2002

District Engineer
US Army Corps of Engineers
Rock Island District
ATTN: OD-P (Wayne Hannel)
Clock Tower Building
Post Office Box 2004
Rock Island, Illinois 61204-2004

Dear Mr. Hannel;

Thank you for your letter, which is in compliance with Section 106 of the National Historic Preservation Act, and Section 110.

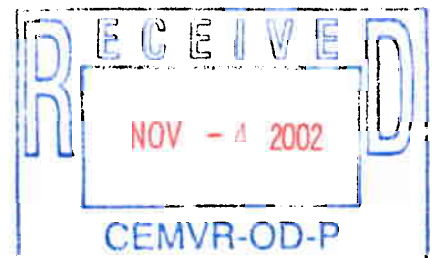
The main contact group of the Sac and Fox in issues that result in inadvertent finds of human remains or funerary objects pertaining to:

CEMVR-OD-P-433430 & 433440
U.S. Army of Corps of Engineers

will be Johnathan Buffalo of the Sac and Fox Tribe of Mississippi in Iowa. Mr. Buffalo's number is listed on this letterhead.

Sincerely,

Deanne Bahr
Deanne Bahr
Sac and Fox Nation of Missouri
NAGPRA Contact Representative





United States Department of the Interior



FISH AND WILDLIFE SERVICE
Rock Island Field Office
4469 48th Avenue Court
Rock Island, Illinois 61201
Phone: (309) 793-5800 Fax: (309) 793-5804

IN REPLY REFER
TO:

FWS/RIFO

November 19, 2002


U.S. Army Corps of Engineers, Rock Island District
ATTN: PM-A (Gail Clingerman)
Clock Tower Building, P.O. Box 2004
Rock Island, Illinois 61204-2004

Dear Ms. Clingerman:

This letter is in response to distribution of the Environmental Assessment (EA) for the Oquawka Reach: Lock 18 Upper, Furnal Island, and Oquawka Dredge Cuts, Upper Mississippi River miles 411.0 – 415.2, dated August, 2002, including Public Notice (PN) No. CEMVR-OD-P-433430 & 433440, dated October 7, 2002. We support implementation of the preferred alternative and agree with the mitigation approach described in PN Section 3.c.(4). Based on the information provided, we concur in the Finding of No Significant Impact and authorization of the projects described in the PN.

This letter provides comment under the authority of and in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended: 16 U.S.C. 661 et seq.) and the Endangered Species Act of 1973 , as amended. Questions regarding this letter or our availability for review of the compensatory mitigation plan may be directed to Mr. Bob Clevensine at the above telephone number, ext. 521.

Sincerely,



Richard C. Nelson
Supervisor

cc: FWS Port Louisa NWR (Cox)
COE MVR OD-P (Hannel)
IaDNR (Scodronski, Griffin, Schonhoff)
IIDNR (Schanzle, Beissel, Bertrand)

FINDING OF NO SIGNIFICANT IMPACT

ENVIRONMENTAL ASSESSMENT FOR THE OQUAWKA REACH: LOCK 18 UPPER, FURNAL ISLAND, AND OQUAWKA DREDGE CUTS UPPER MISSISSIPPI RIVER MILES 411.0-415.2

I have reviewed the information in this Environmental Assessment, along with data obtained from Federal and State agencies having jurisdiction by law or special expertise, and from the interested public. I find that the placement of dredged material in three new sites—one floodplain agricultural site, one floodplain non-agricultural site, and one upland levee placement—would not significantly affect the quality of the human environment. Therefore, it is my determination that an EIS (Environmental Impact Statement) is not required. This determination will be reevaluated if warranted by later developments.


Alternatives considered along with the preferred action were:

- No Project
- No Change
- Floodplain
- Bankline
- Upland
- Thalweg

Factors considered in making the determination that an EIS was not required are as follows:

- a. Implementation of the project, as proposed, represents the least environmentally damaging alternative, with acceptable mitigation for lost wetland functions and values from the use of Sites 3, 5, and 8.
- b. The proposed project would not significantly affect water quality of the Mississippi River or cultural/historic resources.
- c. The proposed project would have no effect on federally or state listed endangered or threatened species.
- d. Impacts of farmland conversion to non-agricultural uses have been considered. Measures to avoid and/or minimize effects of farmland conversion have been considered. The project, as proposed, would not constitute an unnecessary or frivolous conversion of farmland.
- e. The implementation of the project as proposed would not result in increases in cost or prices for consumers, individual industries, and Federal, State, or local government agencies, nor would it impair, in any way, the ability of the U.S. to compete with foreign-based enterprises in domestic or export markets.
- f. The preferred alternative provides the best long-term solution to the dredging problems at these chronic dredge cuts. The preferred alternative has been identified as the Base Plan (Federal Standard).
- g. The proposed project has identified and taken into account cumulative impacts and would not exceed any known biological or social threshold.

20 Dec 2002
Date


William J. Bayles
Colonel, U.S. Army
District Engineer

**DREDGED MATERIAL PLACEMENT SITE FOR OQUAWKA REACH:
LOCK 18 UPPER, FURNAL ISLAND, AND OQUAWKA DREDGE CUTS
UPPER MISSISSIPPI RIVER MILES 411.0-415.2**

**CLEAN WATER ACT
SECTION 404(b)(1) EVALUATION**

**SECTION 3 - FINDINGS OF COMPLIANCE OR NONCOMPLIANCE
WITH THE RESTRICTIONS ON PLACEMENT**

1. No significant adaptations of the 404(b)(1) Guidelines were made relative to this evaluation.
2. Alternatives that were considered in addition to the proposed action were as follows:

No Project	Bankline Placement
No Change	Upland Placement
Floodplain Forest Placement	Thalweg Placement
3. Certification under Section 401 of the Clean Water Act would be obtained from Iowa and Illinois prior to implementation.
4. The project would not introduce hazardous or toxic substances into the waters of the United States or result in appreciable increases in existing levels of toxic materials.
5. No significant impact to state or federally listed threatened or endangered species is anticipated from this project.
6. No municipal or private water supplies would be affected. There would be no adverse impacts to recreational or commercial fishing. No significant adverse changes to the ecology of the river system would result from this action.
7. No contamination of the river is anticipated. The proposed actions would cause only minimal adverse environmental effects when performed separately, and would have only minimal cumulative adverse effects on the environment.
8. No other practicable alternatives have been identified. The proposed actions are in compliance with Section 404(b)(1) of the Clean Water Act, as amended. The proposed actions would not significantly impact water quality and would improve the integrity of an authorized navigation system.
9. Approximately 1.1 acres of wetlands will be restored to offset the unavoidable loss of 1.1 acres of wetlands and associated functions and values resulting from the proposed actions.

20 Dec 02

Date



William J. Bayles
Colonel, U.S. Army
District Engineer